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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/766,964

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William A. Margiloff

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04/22/2008

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EXAMINER

ORR, HENRY W

ART UNIT

PAPER NUMBER

2176

MAIL DATE

DELIVERY MODE

04/22/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/766,964	<b>Applicant(s)</b> MARGIOFF ET AL.	
	<b>Examiner</b> Henry Orr	<b>Art Unit</b> 2176	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 March 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 13-16 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 13-16 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/5/2008 has been entered.

**DETAILED ACTION**

1. This action is responsive to applicant's amendment dated 3/5/2008.
2. Claims 1-4, 13-16 and 21 are pending in the case.
3. Claims 5-12 and 17-20 are cancelled.
4. Claim 21 is newly added.
5. Claims 1 and 13 are independent claims.

**Applicant's Response**

6. In Applicant's response dated 3/5/2008, applicant has amended the following:
  - a) Claims 1, 2, 13 and 14

***Specification***

7. The disclosure is objected to for not having a Brief Summary of the Invention Section:

Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. **Claims 1-4, 13-16 and 21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a**

**way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.**

Claims 1 and 13:

Claims 1 and 13 recites: “the initial and subsequent sets of toolbar buttons are **never simultaneously** displayed to the user in the search bar”.

There is no mention of the newly amended limitation in the original Specification. Thus, the limitations include subject matter that was not described in the original Specification.

If the examiner has overlooked the portion of the original Specification that describes this feature of the present invention, then Applicant should point it out (by page number and line number) in the response to this Office Action.

Applicant may obviate this rejection by canceling the claim.

Claims 2-4, 14-16 and 21:

Dependent claims 2-4, 14-16 and 21 are rejected for fully incorporating the deficiencies of their respective base claims.

### ***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**10. Claims 1-4, 13-16 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Oren et al. (hereinafter "Oren"), U.S. Patent No. 7,222,303 B2.**

Claim 1:

Oren teaches **a method of facilitating use of a graphical user interface search bar, comprising: initially displaying to a user in a web browser search bar:**  
(see abstract, col. 2 lines 14-29, Figure 10)

**(i) an initial set of toolbar buttons and** (see col. 2 lines 20-22, Figure 10)

**(ii) a search feature user input portion usable to enter a search term to be transmitted to a remote search engine via a communication network,** (see Figure 10; e.g. address bar and search box for transmitting search terms to remote search engines via Internet)

**wherein the initial set of tool bar buttons is displayed to the user without displaying to the user a subsequent set of toolbar buttons in the search bar;** (see col. 2 lines 20-22, Figure 10)

**receiving a single indication from the user, the single indication being received via the searchbar;** (see col. 2 lines 3-13, lines 30-44, lines 57-67; e.g. selecting a hot button or searching for a website using url address via address bar and search box)

**and replacing the initial set of toolbar buttons with the subsequent set of toolbar buttons in the searchbar in response to the received indication such that**

**(i) the initial and subsequent sets of toolbar buttons are never simultaneously displayed to the user in the searchbar and** (see col. 2 lines 45-56, Figures 10 and 11)

**(ii) the search feature user input portion remains displayed to the user along with the subsequent set of toolbar buttons** (see Figures 10 and 11; e.g. address bar and search box).

Claim 2:

Oren teaches **displaying to the user additional sets of toolbar buttons in the searchbar at least in part in response to additional received indications** (see col. 2 lines 3-67; Figures 10 and 11).

Claim 3:

Oren teaches **wherein each toolbar button within the initial set of toolbar buttons is related to a common class of functionality** (see col. 2 lines 20-22, lines 57-67, Figure 10).

Claim 4:

Oren teaches **wherein each toolbar button within the subsequent set of toolbar buttons is related to a common class of functionality** (see col. 2 lines 53-56, lines 57-67, Figure 11).

Claims 13-16:

Claims 13, 14, 15 and 16 are apparatus claims and are substantially encompassed in method claims 1, 2, 3, 4 respectively; therefore the apparatus claims are rejected under the same rationale as method claims 1, 2, 3, 4 above.

Claim 21:

Oren teaches **wherein the instructions are further adapted to be executed by the processor to: determine a query input from the user via the search feature user input portion;** (see Figure 10; e.g. address bar and search box for transmitting search terms to remote search engines via Internet)

**display a first search result to the user, the first search result being associated with the query input and further being received from a first remote search engine via the communication network;** (see col. 2 lines 14-67, Figures 10 and 11; e.g. hotbuttons or web content is interpreted as “first search result”, Figure 10 illustrates a “Search Engines” hotbutton capable of selecting different remote search engines via Internet).

**receive an additional single indication from the user, the additional single indication being received via the searchbar;** (see col. 2 lines 3-13, lines 30-44, lines 57-67; e.g. selecting a hot button or searching for a website using url address via address bar and search box)

**and display a second search result to the user, the second search result being associated with the query input and further being received from a second**



**remote search engine via the communication network.** (see col. 2 lines 14-67, Figures 10 and 11; e.g. hotbuttons or web content is interpreted as “second search result”, Figure 10 illustrates a “Search Engines” hotbutton capable of selecting different (“second”) remote search engines, therefore search results may be received from other search engines via Internet).

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 1-4, 13-16 and 21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry Orr whose telephone number is (571) 270 1308. The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571) 272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

4/9/2008  
HO

/Rachna Singh/  
Primary Examiner, Art Unit 2176